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December 19, 2005

Sent via U.S. Mail

Eric Johnson
U.S. Environmental Protection Agency
Region 8, 8ENF-T
999 18th Street, Suite 300
Denver, Colorado 80202-2466

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RE: Progress report for November 2005 activities - Hecla Mining Company Apex Site (EPA ID No. UT982589848, Docket No. RCRA-8-99-06)

Dear Mr. Johnson:

Per paragraph 64 of the Order, enclosed is a copy of the November 2005 progress report for your records.

If you have any questions please do not hesitate to call me at (208) 769-4135 or e-mail at cgypton@hecla-mining.com.

Sincerely,

Chris Gypton
Project Manager

Encl

Cc: HMC Legal Dept (w/o attachments)
John Jacus, Esq. (DG&S)

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P5-54



December 19, 2005

MEMORANDUM TO: Paul Glader

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FROM: Chris Gypton

SUBJECT: **Progress Report No. 19 for period ending November 30, 2005; Pond 2 Final Closure - Apex Site, Washington County, Utah**

Summary

Weather conditions at the site were generally satisfactory all month; no precipitation was recorded for the St. George area.

Final grading of the protective soil layer surface was completed the week of November 11th. Settlement monuments were set and surveyed in after completion of the protective soil layer.

The contractor started re-grading of the borrow area and the diversion ditch, and commenced delivery of the erosion control rock. Tests of the initial batches of material indicated the gradation curve was marginally out of spec; the product had insufficient sand to finer fraction. An additional source was located, however the supplier had already committed a significant portion of plant capacity to a prior client. Deliveries to the Apex site were sporadic for the month, so the contractor focused primarily on the diversion ditch work. There was no activity at site the week of November 20th due to the Thanksgiving holiday.

The CM job trailer was taken off rent on November 1st and demobilized on November 15th.

A meeting was scheduled for December 6th to review punch list items and resolve the erosion protection rock supply issue. Based on information available at the end of November, field activities are expected to be complete the week of December 18th.

Major Issues

1. BIA demand to have Pond 2 removed from Shivwits' property – A response to BIA's July 12th letter was issued on August 2nd. BIA submitted a follow-up letter dated August 25th stating they will provide additional justification for removal of Pond 2. This issue is still not resolved, however we are proceeding with Phase III with the force majeure provisions in the 7003 order still in effect.
2. Procurement and delivery of the erosion protection rock – Locally available aggregate is marginally off spec (not enough sand/fines fraction), however blending from two sources will produce the specified gradation curve. A local highway project has absorbed the majority of available trucking capacity and has been given priority by the aggregate suppliers. The trucking situation is expected to improve in early December.

Work Planned for Next Period

1. Complete the diversion ditch re-grading and complete place the erosion protective layer.
2. Hydroseeding.
3. As-built surveying.
4. Final clean-up of site, equipment decontamination and contractor demobilization.
5. Start compiling data for construction completion report.

Work in Process

Procure Outside Services

1. No activity - all work in this area is complete.

Procure Materials

1. No activity

Contractor Submittals

1. The proposed seed mix for hydroseeding was submitted the week of November 1st. The mix was based on local BLM office recommendation. A change order will be prepared to add this to the contractor's scope of work.

Seepage Collection System Maintenance

1. No activity – all work in this area is complete.

Phase II Drain/Evaporate Excess Water

1. No activity - all work in this area is complete.

Phase III Final Cover Construction

1. Final grading of the protective soil layer surface was completed in the week of November 11th.
2. Concurrent with protective soil layer grading, the on-site borrow area and diversion ditch re-grading was started and by the end of the month was about 80% complete. The drainage flow line must be confirmed prior completing this work. Based on visual observations this area may require additional grading to ensure all storm water passed through the site and does not pond.
3. Several truckloads of erosion protection rock had been delivered prior to the test results being available. This material was stockpiled and the contractor not allowed to use it until it was determined it passed the specification. The gradation curve proved to be marginally off spec. A second source was located that would produce on spec material if two streams were blended, but the delivery rate has been very slow (see Major Issues).
4. Seven settlement monuments were installed the week of November 11th. Concurrent with installing the monuments the protective soil layer thickness was checked and found to or exceed the 12 inch minimum specified thickness.

Sampling and Analysis in Period

Material Characterization

1. No activity

Field Tests, Inspections & QA/QC

1. Gradation testing was done on proposed erosion control rock samples on November 8, 15, 16 and 29.
2. Confirmation of protective soil layer thickness.

Cost and Schedule

Committed costs in November 2005 were approximately \$56,200. Total project to date committed is approximately \$1,133,300. Forecast cost at completion is expected to be \$1,242,500. The estimated increase of \$52,000 over last months forecast is due to additional grading in the diversion ditch to ensure there will be no ponding of stormwater, plus additional indirect expense related to delays in obtaining the proper specification erosion protection rock.

The cost report for November is attached. Current status of the deliverables listed in the RCRA 7003 order is as follows:

Deliverable	Reference Paragraph	Due	Remarks
Post warning signage around perimeter of site	57	15 days after effective date of order	Work completed on March 9, 2004
Begin implementation of closure plan	63	45 days after receipt of filing of order	Work started on February 23, 2004
Monthly progress reports	64	28th day after close of month	Requirement in effect after order is filed.
Completion report	65	30 days after completion of all closure plan tasks	To be submitted within 30 days after work has been physically completed and all contracts closed out. Follow-up report to be issued after end of monitoring period.

The update of the schedule milestones is on the following table:

Milestone	Target	Actual	Remarks
Issue bid package – Phase I (Sump Drains)	6/14/04	6/15/04	Portion of RFP materials issued at pre-bid on 6/14/04; remainder sent via courier
Issue RFP package – Phase III	6/24/04	6/24/04	
Award contract for Phase I	6/24/04	6/29/04	Date contract was shipped to Hughes
Pre-bid meeting – Phase III	7/19/04	7/19/04	
Start Phase I (Sump Drains) construction	7/12/04	7/19/04	
Start Phase II (Evaporation)	7/19/04	7/29/04	
Receive bids for Phase III	8/2/04	8/2/04	
Re-bid Phase III contract package	April 2005	4/27/05	Date bid package was sent to Hughes
Start Phase III construction	End of August 2005	8/29/05	Start of contractor mobilization
Complete Phase III construction	Dec 23rd 2005		Revised target based on progress to date

Supplemental Attachments

1. None.

Apex Site
Pond 2 Final Closure
Project Cost Report

Date Printed: 12/19/2005

Activity	2004 Budget	Revised Budget May 2004	Committed Cost this Period	Cumulative Committed Cost To Date 11-30-05	Forecasted Cost To Complete	Forecasted Final Cost	Remarks on Forecast to Complete
Phase I - Drain Excess Liquid From Tailings							
Test wick program - Nilax		35,000		35,000	0	35,000	
Earthwork during wick test program		2,000		1,768	0	1,768	
Install drainage piping and sumps							
Contractor mobilization/demobilization		5,500		5,500	0	5,500	
Install sumps - material & labor		20,000		24,500	0	24,500	
Build surface evaporation ponds		2,700		838	0	838	
Remove existing evaporation ponds		2,000		0	0	0	Work moved to Phase III
Bury existing pond material & regrade		2,000		0	0	0	Work moved to Phase III
Survey monuments		3,500		1,160	0	1,160	Cost to complete transferred to As-built drawing line item
Subtotal Phase I	169,200	72,700		68,768	0	68,768	
Phase II - Evaporate Excess Liquid							
Operate evaporation & pumping system		8,000		9,585		9,585	FY 2004 work only
Test pits to determine dewatering progress				1,320		1,320	
Upgrade evaporation cells & collection sumps				132,114		132,114	
Dewatering & seepage collection management				104,468		104,468	T&M labor + equipment; February '05 through Oct '05
Subtotal Phase II	6,000	8,000	0	247,487	0	247,487	
Phase III - Regrading & Final Cover System							
Contractor mobilization/demobilization		20,000		33,228	19,200	52,428	
Excavate existing embankment		15,000	27,500	159,550	725	160,275	Incl misc. repairs to existing liner edge added to scope
Final grading of 1% surface		2,500		0	0	0	Incl w/ 12" protection layer
Place barrier layer (GCL) - top		200,000		167,000	0	167,000	
Place barrier layer (GCL) - outcrops		50,000		0	0	0	Incl w/ GCL cover cost
Excavate diversion channel		9,100		20,000	20,000	40,000	
Place 12" protection layer on top surface		19,000	5,000	50,000	10,925	60,925	Incl \$10,925 price for hydroseeding added to scope
Reconstruct outside embankment		7,350		0	0	0	Incl w/ excavation of existing embankment
Finish grade 1% surface - top		3,000		0	0	0	Incl w/ 12" protection layer
Place surface layer at outcrops (D50 = 1")		4,800		0	0	0	Incl w/ 12" protection layer
Recontour diversion channel for drainage		2,000		0	20,000	20,000	Incl additional grading in drainage channel added to scope
Place diversion channel erosion protection (3" rock)		3,800		0	0	0	Incl w/ diversion channel exc
Surveying - diversion channel drainage		2,500		0	0	0	Incl w/ diversion channel exc
Remove existing evaporation ponds		0		0	0	0	Incl w/ excavation of existing embankment
Clear site for construction		3,000		7,500	0	7,500	
Performance & Payment Bond		0		0	0	0	Requirement waived
Subtotal Phase III	337,000	342,060	32,500	437,276	70,850	508,126	
Field Indirect Costs							
Construction Management labor		108,360	15,200	237,736	15,350	253,086	
Construction Management field expenses		38,575	4,300	54,642	5,444	60,086	
Field office trailer		6,525	665	3,823		3,823	Trailer removed from site on Nov 1st
CQA testing		9,200	620	885	1,500	2,385	
CQA completion report		5,000		0	5,000	5,000	
Survey and layout		2,208	698	2,552	600	3,152	Includes as-built survey
Material classification tests		1,500		5,782		5,782	
Consulting Engineer		42,200	1,330	50,541	4,500	55,041	
Subtotal Consultants	164,500	213,568	22,811	355,920	32,394	388,314	
Hecia Costs							
Labor	15,500	15,500	911	20,988	4,200	25,188	
Travel expenses	3,200	3,200		2,577	1,700	4,577	
Subtotal Hecia Costs	18,700	18,700	911	23,565	5,900	29,765	
Total Pond 2 Final Closure	716,400	665,018	66,222	1,133,313	109,144	1,242,457	

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December 19, 2005

Sent via U.S. Mail

Glenn Rogers, Chairman.
Shivwits Band of Paiute Indian Tribe
P.O. Box 448
Santa Clara, Utah 84765

COPY

John Krause
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U.S. Department of Interior
P.O. Box 10
Phoenix, AZ 85001

Kelly Youngbear
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St. George, UT 84771

RE: Progress report for November 2005 activities - Hecla Mining Company Apex Site (EPA ID
No. UT982589848, Docket No. RCRA-8-99-06)

Dear Chairman Rogers, Mr. Krause and Ms. Youngbear:

Per paragraph 64 of the Order, enclosed is a copy of the November 2005 progress report for your records.

If you have any questions please do not hesitate to call me at (208) 769-4135 or e-mail at cgypton@hecla-mining.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Gypton".

Chris Gypton
Project Manager

Encl

Cc: HMC Legal Dept. (w/o attachments)
John Jacus, Esq. (DG&S) (w/o attachments)
Eric Johnson (USEPA, Region VIII) (w/o attachments)